

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)
Plaintiff,) CR. No. S-04-0104 DFL
v.) [proposed] ORDER
MARK STEVEN ERCKERT,)
Defendant.)

On February 16, 2006, this matter came before the Court for a hearing on the defendant's motion for information concerning a confidential informant. The United States was represented by Assistant U.S. Attorney Philip A. Ferrari; the defendant was represented by Krista Hart, Esq.

The government has represented that it will disclose the identity of the confidential informant, as well as any related Brady materials, immediately following the trial confirmation hearing. The government has also represented that it will contact the confidential informant forthwith and convey the defendant's interest in contacting the confidential informant. The government will offer to relay contact information to the defendant if the confidential

1 informant consents.

2 In light of the foregoing representations, the defendant's
3 motion is **DENIED**.

4 Date: 2/24/2006
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7 DAVID F. LEVI
8 United States District Judge
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